

UNITED STATES DISTRICT COURT

for the
Northern District of Indiana

MICHAEL TOFAUTE;
FRANCIS DENNIS LYNCH;
THOMAS MIKULSKI;
DAVID McMAHON;
JAMES HOUGH;
FRANK CUCINOTTI;
PATRICK CARRIGAN;
WILLIAM J. LOMBO, on behalf of
themselves and all others similarly situated;
ALL PLAINTIFFS;
MICHAEL B. KILMARTIN;

Plaintiff(s)

v.

Civil Action No. 3:05cv595

FEDEX GROUND PACKAGE SYSTEM INC;

Defendant(s)

**AMENDED
JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

☒ the plaintiffs Michael Tofaute, Francis Dennis Lynch, Thomas Mikulski, David McMahon, James Hough, Frank Cucinotti, Patrick Carrigan, William J. Lombo, All Plaintiffs, and Michael B. Kilmartin recover from the defendant Fedex Ground Package System Inc., the amount of Twenty-five million five hundred thousand dollars and 00/100 dollars \$ 25,500,000.00, which includes prejudgment interest at the rate of _____% plus post-judgment interest at the rate of 1.06 % along with costs.

☐ the plaintiff recover nothing, the action is dismissed on the merits, and the defendant _____ recover costs from the plaintiff _____.

☒ Other: Class representative Michael Tofaute, Francis Dennis Lynch, Thomas Mikulski, David McMahon, James Hough, Frank Cucinotti, Patrick Carrigan, William J. Lombo, and Michael B. Kilmartin are each AWARDED Fifteen thousand dollars (\$15,000.00) for their services in this case; Counsel for Plaintiffs AWARDED Seven million six hundred twenty-seven thousand five hundred dollars and 00/100 (\$7,627,500.00) for their services; DISMISSING WITH PREJUDICE this action, specifically including the Released Claims, with each party to bear its own costs and attorney's fees, except as outlined in the 4/28/2017 Opinion and Order;

This action was (*check one*):

☐ tried to a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

X decided by Judge Robert L. Miller, Jr. on a motion for Final Approval of the New Jersey
Class Action Settlement.

DATE: June 14, 2017

ROBERT TRGOVICH, CLERK OF COURT

by S/ J. Darrah
Signature of Clerk or Deputy Clerk